

PROB 12B  
(7/93)

Report Date: August 26, 2013

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**AUG 27 2013**

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Shawn David Collins

Case Number: 2:11CR00016-001

Name of Sentencing Judicial Officer: The Honorable William H. Albritton, Senior U.S. District Court Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Court Judge

Date of Original Sentence: December 1, 2008

Type of Supervision: Supervised Release

Original Offense: Conspiring to Import a Quantity of  
Marijuana Greater than 50 Kilograms, 21 U.S.C. §§  
952, 960 and 963

Date Supervision Commenced: February 25, 2011

Original Sentence: Prison - 33 Months;  
TSR - 36 Months

Date Supervision Expires: February 24, 2014

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 25 You shall reside in a residential reentry center (RRC) until the expiration of your supervised release, which is February 24, 2014. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

**CAUSE**

Shawn Collins violated conditions of supervision by failing to appear for substance abuse treatment on August 13 and 20, 2013. He also violated supervision by failing to answer truthfully inquiries by the undersigned officer and failing to follow instructions.

On August 23, 2013, Shawn Collins reported to the U.S. Probation Office after failing to appear for substance abuse treatment on the above-referenced dates. Initially, the offender denied failing to appear for treatment as required. After speaking with the treatment provider, during the in-office meeting, Shawn Collins acknowledged that he willfully provided false information relative to his attendance at the noted treatment sessions. The offender's behavior insofar as his willful intent to provide misleading information when questioned by the undersigned officer is alarming. Consequently, the offender was verbally reprimanded and encouraged to participate in the (RRC) program at once.

Shawn Collins reported that he is now homeless effective Friday, August 23, 2013, as he was directed to move out of an apartment he shared with his brother. It is believed that he is employed, but considering his willingness to provide false information in respect to his activities, the undersigned officer cannot confidently report what his employment status is at this time.

Prob 12B

**Re: Collins, Shawn David**

**August 26, 2013**

**Page 2**

**As an intermediate sanction:**

Shawn Collins was directed to reside at the Union Gospel Mission, a local homeless shelter, until placement at the RRC has been approved. He was instructed to avail himself for substance abuse treatment as required by the Court.

Shawn Collins was asked whether he would waive his right to a hearing and agree to the modification as previously described. As indicated by the enclosed waiver of hearing to modify conditions of supervision, Mr. Collins has agreed to the proposed modification requiring him to participate in a RRC program. It is respectfully recommended that the attached waiver of hearing to modify conditions of supervised release be adopted to require Shawn Collins to reside in and satisfactorily participate in a RRC program as a condition of supervised release until February 24, 2014.

Your Honor, it is hoped that the intermediate sanction imposed meets the Court's expectations. Please advise in the event that you choose to have a warrant or a summons issued, and the undersigned will prepare the appropriate petition for your signature.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/26/2013

s/Tommy Rosser

Tommy Rosser  
U.S. Probation Officer

**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

*W. F. Mullen*  
**USAO**

8/27/13

Date